

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILIP F. SMITH,

Defendant.

8:04CR156

ORDER

Defendant Philip F. Smith (Smith) appeared before the court on June 19, 2013, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 81). Smith was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Susan T. Lehr. Through his counsel, Smith waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Smith should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government moved for detention. At the time of the hearing, Smith was in the custody of Nebraska state authorities. The motion was held in abeyance pending Smith coming into federal custody. Smith waived his rights under the Interstate Agreement on Detainers and agreed to be returned to the Nebraska state authorities pending his dispositional hearing in these proceedings.

IT IS ORDERED:

A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:30 a.m. on August 1, 2013.** Defendant must be present in person.

DATED this 19th day of June, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge